

246.420 Tampering with or sabotaging livestock prohibited -- Definitions for section -- Applicability of KRS Chapter 512.

- (1) No person shall tamper with any livestock.
- (2) No person shall sabotage any livestock exhibited at an exhibition.
- (3) This section shall not apply to:
 - (a) Any action taken or activity performed or administered by a licensed veterinarian or in accordance with instructions of a licensed veterinarian if the action or activity was undertaken for accepted medical purposes during the course of a valid veterinarian-client-patient relationship; or
 - (b) Generally accepted grooming, commercial, or medical practices that are not prohibited by any provision of the Kentucky Revised Statutes or any administrative regulation promulgated thereunder.
- (4) As used in this section:
 - (a) "Tamper" means any of the following:
 1. Treatment of livestock in such a manner that food derived from the livestock would be considered adulterated as defined in KRS 217.025;
 2. The injection, use, or administration of any drug that is prohibited under any federal law or law of this state, or any drug that is used in any manner that is not authorized under any federal law or law of this state. Whenever the commissioner of the United States Food and Drug Administration or the secretary of the United States Department of Agriculture, pursuant to the federal Food, Drug, and Cosmetic Act, as amended, or federal Virus-Serum-Toxin Act, as amended, approves, disapproves, or modifies the conditions of the approved use of a drug, the approval, disapproval, or modification shall automatically be effective for the purposes of this section unless the Kentucky Department of Agriculture adopts an administrative regulation to alter, for the purposes of the section, the action taken by the commissioner or secretary. The Kentucky Department of Agriculture may adopt an administrative regulation if the department considers it to be necessary or appropriate for the protection of food safety or the health, safety, or welfare of livestock or to prevent the use of a drug for the purpose of concealing, enhancing, transforming, or changing the true conformation, configuration, or condition of livestock. No administrative regulation shall authorize the use of any drug the use of which is prohibited by, or authorize the use of any drug in a manner not authorized by, the commissioner or secretary under either of those acts;
 3. The injection or other internal or external administration of any product or material, whether gas, solid, or liquid, to livestock for the purpose of concealing, enhancing, transforming, or changing the true conformation, configuration, condition, or age of the livestock or making the livestock appear more sound than it actually is;

4. The use or administration, for cosmetic purposes, of steroids, growth stimulants, or internal artificial filling, including paraffin, silicone injection, or any other substance;
 5. The use or administration of any drug or feed additive affecting the central nervous system of the livestock;
 6. The use or administration of diuretics for cosmetic purposes; and
 7. The surgical manipulation or removal of tissue so as to change, transform, or enhance the true conformation or configuration of, or to conceal the age of, the livestock.
- (b) "Sabotage" means intentionally tampering with any livestock belonging to or owned by another person that has been registered, entered into, or exhibited in any exhibition, or raised with the apparent intent of being entered into an exhibition.
- (5) Where a person violates both the provisions of this section and a section of KRS Chapter 512, the person may be prosecuted under the provisions of KRS Chapter 512.

Effective: July 13, 2004

History: Created 2004 Ky. Acts ch. 141, sec. 1, effective July 13, 2004.